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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/978,224	10/16/2001	Reuben Bahar	133/117	4472

7590

09/29/2005

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EXAMINER

BILGRAMI, ASGHAR H

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/978,224

Applicant(s)

BAHAR, REUBEN

Examiner

Asghar Bilgrami

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 and 17-154 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 17-154 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8 & 17-154 are rejected under 35 U.S.C. 103(a) as being unpatentable over Choi (U.S. 6,629,131B1) and Flynn et al (U.S. 6,618,747B1).

3. As per claims 1, 17, 57, 80, 102, 124 & 142 Choi disclosed a method for verifying whether e-mail sent by a sending party was delivered to the intended recipient, said method comprising: a) acquiring an e-mail for transmission to a target recipient; b) transmitting said e-mail from a sender computer that is connected to the communications network; c) delivering said e-mail to a recipient e-mail address, said e-mail address associated with a recipient computer (col.2, lines 59-67), f) sending said confirmation of receipt notice to said sending party, wherein, the discovered recipient data contained in said confirmation of receipt notice can be compared to delivery information associated with said intended recipient in order to verify if the e-mail was delivered the intended recipient (col.3, lines 1-30). However Choi did not explicitly disclose that upon the occurrence of an access event, discovering recipient data that is associated with a recipient party; generating a confirmation of receipt notice wherein the discovered recipient data is Included in said confirmation of receipt notice. Flynn in the same field of endeavor disclosed

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that upon the occurrence of an access event, discovering recipient data that is associated with a recipient party; generating a confirmation of receipt notice wherein the discovered recipient data is Included in said confirmation of receipt notice (col.6, lines 53-65).

It would have been obvious to one in the ordinary skill in the art at the time the invention was made to have incorporated the discovered recipients data in the confirmation receipt as disclosed by Flynn in a method of verifying whether e-mail was delivered to the intended recipient as disclosed by Choi in order to make the e-mail delivery system more secure and protected by giving the sender the ability to know exactly who the e-mail content was delivered to.

4. As per claims 2, 18, 65, 87 & 106 Choi-Flynn disclosed the method as in claim 1, wherein the discovering step includes retrieving from a computer associated with the recipient party a pre-recorded recipient data file containing pre-recorded recipient data (choi, col.3, lines 1-30).

5. As per claims 3, 20, 21, 4, 59, 63, 66, 58, 81, 84, 85, 86, 88, 89, 102, 104, n108, 109, 111, 112, 143, 144, 146, 147, 149, 151, 153, 6, 7, 114, 118, 119, 120, 91, 92, 94, 8, 38, 41, 42, 43, 44, 46, 48, 56, 25, 26, 27, 30, 32, 34, 43, 53, 67, 69, 70, 76, 129-141 & 147 Choi-Flynn disclosed the method as in claim 1, further comprising the step of obtaining recipient party identity information from the recipient party as a requisite condition for permitting access to the recipient e-mail address, and wherein the discovering step includes retrieving the recipient party identity information, and wherein tire generating step includes such recipient party identity information within the data contained in the confirmation of receipt notice (Flynn, col.6, lines 53-65).

6. As per claims 5, 61, 60, 82, 83, 105, 107, 50, 115, 116, 117, 95, 49, 19, 22, 28, 29, 35, 23, 24, 123, 62, 73 & 79 Choi-Flynn disclosed the method as in claim 1, wherein the discovering step includes electronically tapping a remote connection between the recipient computer and a remote user computer operable by the recipient party to gain remote access to the recipient e-mail address (Flynn, col.5, lines 46-67 & col.6, lines 1-21).

7. As per claims 31, 33, 39, 40, 45, 47, 54, 55, 110, 113, 121, 122, 68, 71, 77, 78, 148, 150, 152 & 154 Choi-Flynn disclosed the system as in Claim 20, wherein said identity information pertains to biometric identification, password identification, a computer generated user code, or a combination thereof (Flynn, col.5, lines 46-67 & col.6, lines 1-21).

8. As per claims 51, 52, 36, 37, 74, 75, 125, 126, 127 & 128 Choi-Flynn disclosed the method as in. Claim 1, wherein said confirmation of receipt once is used to verify proper delivery of legal documents (Flynn, col.6, lines 66-67 & col.7, lines 1-21).

### ***Response to Arguments***

9. Applicant's arguments filed 16 June 2005 have been fully considered but they are not persuasive.

10. The applicant argued, (in the amended claims) "Choi disclosure does not teach, or suggest the step of discovering recipient data associated with the recipient e-mail address".

11. As to applicants arguments, please see the rejection on line 3 above.

*Conclusion*

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on M-F, 8:00-5:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Asghar Bilgrami  
Examiner  
Art Unit 2143

  
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